Book	Policy Manual
Section	Fall 2024 Policy Revisions
Title	Revised - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
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Status	Policy Committee
Legal	R.C. 3301.0711, 3302.01, 3302.03, 3313.61, 3313.611, 3313.612, 3317.03 A.C. 3301-35-02(A) Fourteenth Amendment, U.S. Constitution 20 U.S.C. Section 1681, Title IX of Education Amendment Act 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act 29 U.S.C. Section 794, Rehabilitation Act of 1973 42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964 42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990 as amended 29 C.F.R. Part 1635 34 C.F.R. Part 110 (7/27/93) Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979 Title III of the No Child Left Behind Act of 2001
Adopted	October 8, 1990
Last Revised	May 7, 2018

2260 - **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered

in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent or his/her designee shall:

A. **Curriculum Content**

review current and proposed courses of study and textbooks to detect any bias based upon the Protected Classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. **Staff Training**

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the Protected Classes in all aspects of the program;

C. **Student Access**

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;

2. verify that facilities are made available, in accordance with Board Policy 7510 – Use of District Facilities, for non- curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society.

D. **District Support**

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. **Student Evaluation**

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the Protected Classes.

District Compliance Officers

The Board designates ~~the following individual~~ an administrator to serve as the District's "Compliance Officer" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "CO").

~~Amber Hufford~~
~~Student Services Coordinator~~
~~3805 Marlane Drive~~
~~Grove City, OH 43123~~
~~614-801-3000~~

The name, title, and contact information of this individual will be published annually on the School District's Web site at https://www.swcsd.us/HarassmentIntimidationBullyingInformation.aspx ~~.~~

The CO is responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent/Designee shall annually attempt to identify children with disabilities, ages 3-22, who reside in the District but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit guidelines and shall be designed to

provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (see AG 2260F).

Reports and Complaints of Unlawful Discrimination and Retaliation

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the CO at his/her first convenience. Acts of unlawful discrimination and/or retaliation under this Policy are "Prohibited Conduct" for purposes of Policy 1662.01 Compliance Officer Investigations.

Members of the School District community, which includes students or third parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth in Policy 1662.01 Compliance Officer Investigations. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

Investigation and Complaint Procedure

A "grievance" is a complaint of disability discrimination (including harassment) filed by a student and/or parent, employee, or member of the public. Grievances regarding Prohibited Conduct and investigations thereof will be processed as complaints under the requirements of Policy 1662.01 Compliance Office Investigations with the following modifications:

Step 1 – As part of the formal complaint procedure, the Compliance Officer shall permit the complainant to present witnesses and other evidence in support of his/her complaint.
The Compliance Officer's report issued following the formal investigation will be the written disposition regarding the grievance.

Step 2 – If the grievant wishes to appeal the decision in Step 1 above, he/she may submit a signed, written appeal to the Superintendent within ten (10) business days after receipt of the written disposition. The Superintendent or his/her designee shall respond to the complaint, in writing, within ten (10) business days of the date of the appeal. Copies of the response shall be provided to both the grievant and the person who is the subject of the complaint.

The complainant may be represented, at his/her own cost, throughout the grievance and appeal process.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case in the appropriate Federal District Court. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies. In fact, a person is not required to use this procedure and may, at any time, file a complaint directly with the:

U.S. Department of Education's Office for Civil Rights
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44113
Telephone: (216) 522-4970
Facsimile: (216) 522-2573
Email: OCR.Cleveland@ed.gov

The Compliance Officer will provide a copy of the District's complaint procedure to any person who files a grievance.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

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